

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO.5535 of 2006

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21st March 2006

Between:

1. Smt.Polepally Gangamma, W/o.Balaiah.

And one other.

...PETITIONERS

AND

The Mandal Revenue Officer, Serilingampally Mandal, Ranga Reddy District.

...RESPONDENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO. 5535 of 2006

ORDER:

The case of the petitioners is that they were granted house site pattas in the year 1993 under Weaker Section Category of an extent of 120 square yards each situated in Survey No.136 of Gachibowli, Serilingampalli Mandal, Ranga Reddy District. They constructed small huts and eaking out livelihood by doing labour work. It is stated that under the pretext of issuing house site pattas to some other interested persons, who are having political back ground, the respondent is proposing to evict them forcibly from the premises. The action of the respondent in not following due procedure of issuing notice is illegal and unsustainable.

I am not inclined to express any opinion on the fact that whether the said land is Government land or not. However, even if the land is Government land or not, without following due process of law and without issuing notice to the petitioners, they cannot be dispossessed. Any payment of stamp fee and registration fee will not give them any right or title over the land. Therefore, it is always open to the respondent to take appropriate action following due procedure prescribed in law.

Subject to the above, the Writ Petition is disposed of. No costs.

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(V.ESWARAIAH, J)

21st March 2006

RRB